CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/249
22 May 1969
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UNITED STATES OF AMERICA

Draft Treaty Prohibiting the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and Ocean Floor

The States Parties to this Treaty,

Recognizing the common interest of all mankind in the progress of the exploration and use of the seabed and ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty will further the principles and purposes of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. Each State Party to this Treaty undertakes not to emplant or emplace fixed nuclear weapons or other weapons of mass destruction or associated fixed launching platforms on, within or beneath the seabed and ocean floor beyond a narrow band, as defined in Article II of this Treaty, adjacent to the coast of any State.

2. Each State Party to the Treaty undertakes to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by this Article.

Article II

1. For purpose of this Treaty, the outer limit of the narrow band referred to in Article I shall be measured from baselines drawn in the manner specified in Paragraph 2, hereof. The width of the narrow band shall be three (3) miles.

2. Blank (Baselines)

3. Nothing in this Treaty shall be interpreted as prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or nonrecognition of rights or claims asserted by any other State, relating to territorial or other contiguous seas or to the seabed and ocean floor.

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Article III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the Parties to the Treaty shall remain free to observe activities of other States on the seabed and ocean floor, without interfering with such activities or otherwise infringing rights recognized under international law including the freedoms of the high seas. In the event that such observation does not in any particular case suffice to eliminate questions regarding fulfillment of the provisions of this Treaty, Parties undertake to consult and to cooperate in endeavoring to resolve the questions.

2. At the review conference provided for in Article V, consideration shall be given to whether any additional rights or procedures of verification should be established by amendment to this Treaty.

Article IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the State Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article V

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

Article VI

Each Party shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

May 22, 1969